

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

Case No.: 2:16-cr-00285-APG-NJK

4 Plaintiff

**Order**

5 v.

6 BRANDON LAMAR PRUITT,

7 Defendant

8 I ORDER that the United States' motion for an order deeming the attorney/client  
9 privilege waived and ordering discovery (**ECF No. 289**) is **GRANTED**. The attorney-client  
10 privilege between defendant Brandon Pruitt and his counsel, Heidi Ojeda and Raquel Lazo, is  
11 waived with regard to all communications referenced in Pruitt's § 2255 motion and supplement  
12 for his ineffective assistance of counsel claims.

13 I FURTHER ORDER that by May 26, 2023, Ojeda and Lazo shall provide affidavits or  
14 declarations responding to the allegations of ineffective assistance of counsel in Pruitt's § 2255  
15 motion and supplement. Additionally, by that same date, they must provide the United States  
16 with copies of any electronic or written communications in their possession that document  
17 information or advice conveyed to Pruitt that are related to the allegations of ineffective  
18 assistance of counsel in Pruitt's § 2255 motion and supplement.

19 I FURTHER ORDER counsel for the United States to provide Ojeda and Lazo with  
20 copies of Pruitt's motion (ECF No. 277), supplement (ECF No. 286), and this order.

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1 I FURTHER ORDER that the deadline for the United States to file a response to Pruitt's  
2 motion is extended to June 26, 2023. Defendant may file a reply in support of the motion within  
3 30 days after the Government files its response.

4 DATED this 26th day of April, 2023.

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE  
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